

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KENNETH B. JONES, SR.,

*Plaintiff,*

v.

ALLSTATE INSURANCE CO.,

*Defendant.*

CIVIL ACTION  
NO. 17-00648

**ORDER**

**AND NOW**, this 19th day of June, 2017, upon consideration of Defendant Allstate's Motion to Dismiss Count II (ECF No. 5), Plaintiff Jones's Response (ECF No. 7), and Allstate's Reply (ECF No. 8), it is hereby **ORDERED** that Allstate's Motion (ECF No. 5) is **GRANTED**, Count II of Jones's Complaint is **DISMISSED** without prejudice and Jones is granted leave to file an amended complaint on or before July 16, 2017.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.